

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARCOS CALCANO, On Behalf Of
Himself and All Other Persons Similarly
Situating,

Plaintiff,

v.

BUTH-NA-BODHAIGE, INC.,

Defendant.

ORDER

19 Civ. 10439 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

On March 2, 2020, Defendant filed a motion to dismiss (Dkt. No. 17), which this Court referred to Magistrate Judge James L. Cott on March 3, 2020. (Dkt. No. 19) On March 6, 2020, Plaintiff filed an Amended Complaint as of right. (Dkt. No. 20) On March 23, 2020, pursuant to Judge Cott's March 9, 2020 scheduling order (Dkt. No. 21), Defendant filed a new motion to dismiss. Accordingly, Defendant's original motion to dismiss is denied as moot, and the Clerk of the Court is directed to terminate the motion. (Dkt. No. 17)

Dated: New York, New York
March 26, 2020

SO ORDERED.



Paul G. Gardephe
United States District Judge